AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (Previously Presented) A server comprising:

a storage section for storing a plurality of first information pieces;

a corresponding information storage section for storing a plurality of second information pieces in one-to-one correspondence with the plurality of the first information pieces, the second information pieces indicating a number of output times the first information pieces has been outputted to a terminal;

a program information section that stores program information pieces that indicates the first information pieces that are programmed to be transferred to the terminal;

a batch information section that stores batch information that identifies the first information pieces and attributes of the first information pieces stored in the storage section;

an output section for outputting the first information pieces to be outputted to a terminal together with the second information pieces corresponding to the first information pieces to be outputted; and

a prohibition section, wherein when the outputted second information piece is returned from the terminal, on a basis of the returned second information pieces, the prohibition section prohibits the first information pieces corresponding to the second information piece of which the number of output times becomes a preset threshold value from being outputted to the terminal in

later output after the output to the terminal wherein the number of output times becomes equal to the threshold value.

2. (Previously Presented) A server comprising:

a storage section for storing a plurality of first information pieces;

a corresponding information storage section for storing a plurality of second information pieces in one-to-one correspondence with the plurality of the first information pieces, the second information pieces indicating number of output times the first information pieces has been outputted to a terminal;

a program information section that stores program information pieces that indicates the first information pieces that are programmed to be transferred to the terminal;

a batch information section that stores batch information that identifies the first information pieces and attributes of the first information pieces stored in the storage section;

an output section for outputting the first information pieces to be outputted to a terminal;

an increment section for incrementing the number of output times of the second information piece corresponding to the first information piece outputted to the terminal each time when the first information piece is outputted to the terminal; and

a prohibition section for prohibiting the first information pieces corresponding to the second information piece of which the number of output times becomes a preset threshold value from being outputted to the terminal in later output after the output to the terminal wherein the number of output times becomes equal to the threshold value.

3. (Original) The server according to claim 1, further comprising a initialization section for initializing the second information piece corresponding to the first information piece prohibited from being output to the terminal.

4. (Original) The server according to claim 2, further comprising a initialization section for initializing the second information piece corresponding to the first information piece prohibited from being output to the terminal.

5. (Original) The server according to claim 1, wherein the first information pieces are a plurality of pieces of music.

6. (Original) The server according to claim 2, wherein the first information pieces are a plurality of pieces of music.

7. (Previously Presented) A terminal comprising:

a storage section for storing a plurality of first information pieces;

an acquisition section for acquiring a plurality of second information pieces in one-to-one correspondence with the plurality of the first information pieces together with the first information pieces corresponding to the second information pieces, the second information pieces indicating number of output times the first information pieces has been outputted to a terminal;

an increment section for incrementing the second information pieces corresponding to the acquired first information pieces;

a batch information section that stores batch information that identifies the first information pieces and attributes of the first information pieces stored in a server;

a program information generating section that generates program information pieces based on the batch information, wherein the program information pieces identify first information pieces to be transferred from the server to the terminal;

a utilization section for utilizing the acquired first information pieces; and

a return section for returning the incremented second information pieces, the batch information, and the program information pieces to the server.

8. (Original) The terminal according to claim 7, wherein the plurality of first information pieces are a plurality of pieces of music.

9. (Previously Presented) An information processing system comprising:

a server; and a terminal connected to the server via a network, wherein the server comprises:

a first storage section for storing a plurality of first information pieces;

a corresponding information storage section for storing a plurality of second information pieces in one-to-one correspondence with the plurality of the first information pieces, the second information pieces indicating number of output times the first information pieces has been outputted to a terminal;

a program information section that stores program information pieces that indicates the first information pieces that are programmed to be transferred to the terminal;

a batch information section that stores batch information that identifies the first information pieces and attributes of the first information pieces stored in the storage section;

an output section for outputting the first information pieces to be outputted to a terminal together with the second information pieces corresponding to the first information pieces to be outputted; and a prohibition section, the terminal comprises:

a second storage section for storing the plurality of first information pieces;

an acquisition section for acquiring the plurality of second information pieces together with the first information pieces corresponding to the second information pieces;

an increment section for incrementing the second information pieces corresponding to the acquired first information pieces;

a utilization section for utilizing the acquired first information pieces; and

a return section for returning the incremented second information pieces to the server, and

wherein when the outputted second information piece is returned from the terminal, on a basis of the returned second information pieces, the prohibition section of the server prohibits the first information pieces corresponding to the second information piece of which the number of output times becomes a preset threshold value from being outputted to the terminal in later output after the output to the terminal wherein the number of output times becomes equal to the threshold value.

10. (Previously Presented) An information processing system comprising:

a server; and a terminal connected to the server via a network, wherein the server comprises:

a first storage section for storing a plurality of first information pieces;

a corresponding information storage section for storing a plurality of second information pieces in one-to-one correspondence with the plurality of the first information pieces, the second information pieces indicating number of output times the first information pieces has been outputted to a terminal;

a program information section that stores program information pieces that indicates the first information pieces that are programmed to be transferred to the terminal;

a batch information section that stores batch information that identifies the first information pieces and attributes of the first information pieces stored in the storage section;

an output section for outputting the first information pieces to be outputted to a terminal;

an increment section for incrementing the number of output times of the second information piece corresponding to the first information piece outputted to the terminal each time when the first information piece is outputted to the terminal; and

a prohibition section for prohibiting the first information pieces corresponding to the second information piece of which the number of output times becomes a preset threshold value or more from being outputted to the terminal in later output after the output to the terminal wherein the number of output times becomes equal to the threshold value, and the terminal comprises:

a second storage section for storing the plurality of first information pieces;

a prohibition section, wherein when the outputted second information piece is returned from the terminal, on a basis of the returned second information pieces, the prohibition section prohibits the first information pieces corresponding to the second information piece of which the number of output times becomes a preset threshold value from being outputted to the terminal in later output after the output to the terminal wherein the number of output times becomes equal to the threshold value.

12. (Previously Presented) An information record medium recording a sever program for causing a server computer contained in a server to function as:

a storage section for storing a plurality of first information pieces;

a corresponding information storage section for storing a plurality of second information pieces in one-to-one correspondence with the plurality of the first information pieces, the second information pieces indicating number of output times the first information pieces has been outputted to a terminal;

a program information section that stores program information pieces that indicates the first information pieces that are programmed to be transferred to the terminal;

a batch information section that stores batch information that identifies the first information pieces and attributes of the first information pieces stored in the storage section;

an output section for outputting the first information pieces to be outputted to a terminal;

an increment section for incrementing the number of output times of the second information piece corresponding to the first information piece outputted to the terminal each time when the first information piece is outputted to the terminal; and

a prohibition section for prohibiting the first information pieces corresponding to the second information piece of which the number of output times becomes a preset threshold value from being outputted to the terminal in later output after the output to the terminal wherein the number of output times becomes equal to the threshold value.

13. (Previously Presented) An information record medium recording a terminal program for causing a terminal computer contained in a terminal to function as:

a storage section for storing a plurality of first information pieces;

an acquisition section for acquiring a plurality of second information pieces in one-to-one correspondence with the plurality of the first information pieces together with the first information pieces corresponding to the second information pieces, the second information pieces indicating number of output times the first information pieces has been outputted to a terminal;

an increment section for incrementing the second information pieces corresponding to the acquired first information pieces;

a batch information section that stores batch information that identifies the first information pieces and attributes of the first information pieces stored in a server;

a program information generating section that generates program information pieces based on the batch information, wherein the program information pieces identify first information pieces to be transferred from the server to the terminal;

a utilization section for utilizing the acquired first information pieces; and

a return section for returning the incremented second information pieces, the batch information, and the program information pieces to the server.

14. (Previously Presented) The server according to claim 1, wherein the program information pieces are received from the terminal.

15. (Previously Presented) The server according to claim 14, wherein the batch information is output to the terminal,

wherein a user of the terminal identifies the first information pieces contained in the storage section and selects the first information pieces to be transferred from the server to the terminal based on the batch information, and

wherein the terminal outputs the program information pieces to the server based on the selected first information pieces.

16. (Previously Presented) The server according to claim 2, wherein the program information pieces are received from the terminal.

17. (Previously Presented) The server according to claim 16, wherein the batch information is output to the terminal,

wherein a user of the terminal identifies the first information pieces contained in the storage section and selects the first information pieces to be transferred from the server to the terminal based on the batch information, and

wherein the terminal outputs the program information pieces to the server based on the selected first information pieces.

18. (Previously Presented) The information recording medium according to claim 11, wherein the program information pieces are received from the terminal.

19. (Previously Presented) The information recording medium according to claim 18, wherein the batch information is output to the terminal,

wherein a user of the terminal identifies the first information pieces contained in the storage section and selects the first information pieces to be transferred from the server to the terminal based on the batch information, and

wherein the terminal outputs the program information pieces to the server based on the selected first information pieces.

20. (Previously Presented) The information recording medium according to claim 12, wherein the program information pieces are received from the terminal.

21. (Previously Presented) The information recording medium according to claim 20, wherein the batch information is output to the terminal,

wherein a user of the terminal identifies the first information pieces contained in the storage section and selects the first information pieces to be transferred from the server to the terminal based on the batch information, and

wherein the terminal outputs the program information pieces to the server based on the selected first information pieces.

22. (Cancelled)

23. (Cancelled)

24. (Currently Amended) A server, comprising:

at least one memory that stores first information pieces, second information pieces that respectively indicate a number of times that the first information pieces have been output to a terminal; and

a control circuit that prohibits a particular first information piece of the first information pieces from being output to the terminal when a particular second information of the second information pieces indicates that the particular first information piece has been output to the terminal a predetermined number of times,

wherein, after the particular second information piece indicates that the particular first information piece has been output to the terminal the predetermined number of times, the control circuit ~~resets~~ initializes the number of times indicated by the particular second information piece to 0 when ~~a reset~~ an initialization condition occurs.

25. (Currently Amended) The server according to claim 24, wherein the initialization ~~reset~~ condition occurs when the user inputs a reset command to the server.

26. (Currently Amended) The server according to claim 24, wherein the initialization ~~reset~~ condition occurs when other first information pieces have been transferred to the terminal a predefined number of times while the particular first information piece is prohibited from being transferred.

27. (Currently Amended) The server according to claim 24, wherein the initialization ~~reset~~ condition occurs when a predefined period of time has elapsed since the particular first information piece was prohibited from being transferred.

28. (Previously Presented) An information exchange system, comprising:

a server, which comprises:

at least one memory that stores first information pieces, second information pieces that respectively indicate a number of times that the first information pieces have been output to a terminal, and batch information that identifies all of the first information pieces stored in the at least one memory; and

a control circuit that outputs the batch information to the terminal and that receives selection information,

wherein the control circuit outputs selected first information pieces to the terminal based on the selection information.

29. (Previously Presented) The information exchange system according to claim 28, further comprising:

the terminal, wherein a user of the terminal evaluates the batch information received from the server and inputs selections of the first information pieces to the terminal based on the batch information, and

wherein the terminal outputs the selection information to the server based on the selections.

30. (New) The server according to claim 3, wherein the second information piece is initialized by the initialization section when the user inputs a reset command to the server.

31. (New) The server according to claim 3, wherein the second information piece is initialized by the initialization section when other first information pieces have been transferred to the terminal a predefined number of times while the particular first information piece is prohibited from being transferred.

32. (New) The server according to claim 3, wherein the second information piece is initialized by the initialization section when a predefined period of time has elapsed since the particular first information piece was prohibited from being transferred.

33. (New) The server according to claim 4, wherein the second information piece is initialized by the initialization section when the user inputs a reset command to the server.

34. (New) The server according to claim 4, wherein the second information piece is initialized by the initialization section when other first information pieces have been transferred to the terminal a predefined number of times while the particular first information piece is prohibited from being transferred.

35. (New) The server according to claim 4, wherein the second information piece is initialized by the initialization section when a predefined period of time has elapsed since the particular first information piece was prohibited from being transferred.